

**RECEIVED**

OSDC, WESTERN DISTRICT OF LA  
TONY R. MOORE, CLERK  
DATE 3/10/11

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

ANTONIO DIAZ

CIVIL ACTION NO. 10-0340

VERSUS

JUDGE ROBERT G. JAMES

NURSE WESTROP, ET AL.

MAG. JUDGE KAREN L. HAYES

**J U D G M E N T**

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

**IT IS ORDERED** that the Motion for Summary Judgment [Doc. No. 24] filed by Defendants Nurse Debbie Westrup (incorrectly named in the complaint as "Nurse Westrop"), Nurse Kristi Blackwell, and LCS Correction Services, Inc. ("LCS") (incorrectly named in the complaint as "L.C.S. – Caldwell Detention Center") is hereby **GRANTED IN PART**, and that Plaintiff's claims against **all** Defendants are **DISMISSED WITHOUT PREJUDICE** on the merits, but **DISMISSED WITH PREJUDICE** for purposes of proceeding in forma pauperis pursuant to 28 U.S.C. § 1915(d).

**IT IS FURTHER ORDERED** that the Motion for Summary Judgment [Doc. No. 24] otherwise is **DENIED**.

MONROE, LOUISIANA, this 10 day of March 2011.

  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE